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WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

July 1943

HONEY

Food Distribution Order No. 47 and 47-1

A Questions and Answers

1. Q. What is the purpose of this Order?

A. The purpose of the Order is to permit the great bulk of the honey crop to be packed by beekeepers or commercial packers and thus find its way into the home. In furtherance of this purpose, the Order definitely restricts the amount of honey that can be used in the manufacture of food products.

2. Q. Why was the Order established?

A. When stocks of sugar became scarce late in 1941, many previous non-users of honey, such as soft drink bottlers, ice cream manufacturers, and many bakers, turned to honey as a substitute for sugar. Existing stocks of honey dwindled rapidly and beekeepers, honey packers, and manufacturers of bee supplies appealed to the War Production Board for a limitation order to conserve supplies of honey for home use. This appeal was granted.

3. Q. How long has the Order been in operation?

A. The initial limitation order was issued by the War Production Board, effective March 26, 1942. It was amended slightly by WPB on June 18, 1942. After the War Production Board activities relating to honey were transferred to the Department of Agriculture, the Order was re-issued by the Department with little change in wording as FDO 47 and 47-1, effective April 6, 1943.

4. Q. How much honey does the Order permit an individual or firm to use?

A. During the 3-month period ending June 30, 1943, and during each subsequent 3-month period until the Order is changed, no person may use in manufacturing other products more than 600 pounds of honey or 120 percent of the amount used by him during the corresponding 3-month period of 1941, whichever is greater. This restriction applies only to the use of honey in other products and does not in any way restrict the amount of honey that a packer may buy or sell, or the amount of packaged honey that may be bought or sold by wholesalers, retailers, restaurants, etc., or by individuals.

5. Q. Are special quotas of honey available for the armed forces or other Government agencies?
- A. Without affecting his quota any person may use any amount of honey in manufacturing other products to be delivered to or for the Army, Navy, Marine Corps, or Coast Guard, or any person or organization designated by the Director of Food Distribution, or any agency of the United States Government for Lend-Lease purposes, as long as the use of honey is required by the purchaser's specifications or as long as honey is normally used as an ingredient in the manufacturer's products.
6. Q. A baker has developed a new food product involving the use of honey as an ingredient, but he has no previous history as a purchaser of honey. Under the Order he is permitted 200 pounds of honey a month, but this will be entirely inadequate for his needs. Is there any way he can obtain more than this amount?
- A. If he will certify his intention to continue to use honey in his formula even after sugar becomes plentiful, he may request a special quota of honey covering the amount he actually expects to use. This should be submitted on Form FDO 47-1, which can be obtained from the Director of Food Distribution, War Food Administration, Washington 25, D. C. Upon receipt of the form, properly filled out, permission may be granted him to obtain the quantity of honey he expects to need.
7. Q. Are the provisions of this Order restricted to domestic honey?
- A. No, the intent of the order is to cover imported honey as well as domestic. Any baker or other manufacturer who purchases, without authorization, imported honey in excess of his quota allotment is violating the provisions of the Order the same as if he had acquired more domestic honey than he was entitled to.
8. Q. Does the Order require any special records or reports?
- A. Every person, other than those exempted because of supplying honey to a Government agency, who purchases during any one month 10,000 pounds or more of honey for use in manufacturing other products must report such purchases within 10 days after the close of the month by letter to the Director of Food Distribution, War Food Administration, Washington 25, D. C., specifying the seller, the amount purchased, and the intended use of the honey.

The Order also requires that every person subject to the Order shall maintain such records for at least 2 years, and shall file such reports as the Director may request; but so far no such reports have been called for.

Q. What is the general attitude of the honey industry toward this Order?

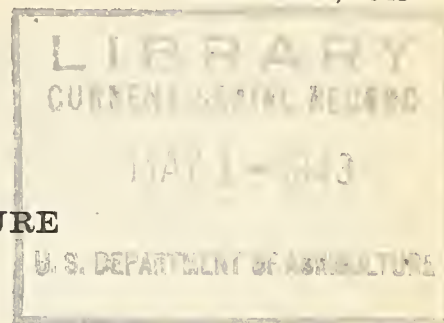
A. The honey industry as a whole regards this Order as one of the best regulations put out by the Government, especially for its effect on post-war marketing, and on the retaining of a fair share of the honey crop for home use. Since its issuance by the Department no appeals have been received from the members of the industry.

Q. How much honey is affected by the provisions of this Order?

A. In recent years, domestic honey production has averaged around 190 million pounds a year. Perhaps half of the total is sold by beekeepers locally or at nearby towns, in too small lots to be affected by the Order. This leaves slightly less than 100 million pounds a year of domestic honey that are affected by this regulation. During the past year or two imported honey, which formerly arrived in very small quantities, has become a more important factor in the market, and substantial quantities can be expected as long as sugar restrictions continue in effect.

APRIL 6, 1943

FOOD DISTRIBUTION ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE



PART 1490—MISCELLANEOUS FOOD PRODUCTS

[FDO 47]

CONSERVATION AND DISTRIBUTION OF HONEY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of honey to meet war and essential civilian needs, *It is hereby ordered*. As follows:

§ 1490.2 *Restrictions imposed on the use of honey—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(3) The term "honey" means honey in any extracted or comb form.

(4) The term "other product" means any manufactured product, including any syrup or compound, in which honey is an ingredient and which is manufactured for sale or for use in any commercial establishment.

(b) *General restrictions and quotas.*

(1) No person may accept deliveries of honey, for use in manufacturing other products, which will increase his inventory of honey to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

(2) No person may deliver honey to any other person for use in manufacturing other products with knowledge or reason to believe that such person is not entitled to accept such delivery pursuant to this order.

(3) Except as permitted in (c) hereof or as hereafter authorized by the Director, no person may use more honey in manufacturing other products during any quota period than his quota thereof for that period, such quota period and quota to be determined by the Director from time to time.

(c) *Quota exemptions and special quotas.* (1) Notwithstanding the restrictions of (b) (3) hereof and without charge to his quota thereunder, any person may use any amount of honey in manufacturing other products to be delivered to or for the Army, Navy, Marine Corps, or Coast Guard, or any per-

son or organization designated by the Director, or any agency of the United States Government for material, supplies, or equipment to be delivered to, or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided*, That the use of honey is required by the purchaser's specifications, or that honey is normally used as an ingredient in such products.

(2) Upon receipt of application, the Director may, subject to such terms and restrictions as he may deem advisable, assign special quotas of honey to any person who wishes to use honey in manufacturing any other product not previously manufactured by him, by any subsidiary of his, or by any person affiliated with him: *Provided*, That such honey will not be used primarily in place of sugar in such other product. The quotas assigned under this provision shall be in addition to the regular quotas assigned by the Director pursuant to the provisions of (b) (3) hereof. Applications (Form FDO-47-1) for special quotas pursuant to this order may be obtained from the Director of Food Distribution, United States Department of Agriculture, Washington, D. C.

(d) *Applicability of order.* The provisions of this order shall not apply outside the continental United States (which, for purposes of this order, means the 48 States of the United States and the District of Columbia).

(e) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe (specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942).

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of honey and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: F D-47.

(j) *General Preference Order M-118 superseded.* This order supersedes in all respects General Preference Order M-118 of the War Production Board, as amended (7 F.R. 4570), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order M-118, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to such violation, right, or liability. Any appeal pending under said General Preference Order M-118, as amended, shall be considered under (h) hereof.

(k) *Effective date.* This order shall take effect on its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of April 1943.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

Press Release Immediate:

Tuesday, April 6, 1943.

Regulations limiting the amount of honey that may be used in the manufacture of food products, and the administration of manufacturers' quotas, were today transferred from the War Production Board to the Food Distribution Administration, the Department of Agriculture announced.

This action was taken in Food Distribution Order No. 47, effective April 6, 1943.

To put the order into effect, the Director of Food Distribution issued order No. 47.1, providing that during the 3-month period ending June 30, 1943, and during each subsequent 3-month period, no firm nor individual may use in manufacturing other products more than 600 pounds or 120 percent of the quantity of honey so used by him during the corresponding 3-month period of 1941, whichever is greater.

A purchaser who buys 10,000 or more pounds of honey in one month for manufacturing purposes must report such

purchases to the Food Distribution Administration within 10 days.

Production of honey in the United States, normally about 200,000,000 pounds a year, dropped considerably below this level in 1942. Purpose of the limitation order is to prevent diversion of honey from customary consumption channels in order to protect the supply for household and restaurant use. The order also is aimed at making needed amounts constantly available for war purposes.

WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

CORRECTION NOTICE 2 FDO 47 Amendment 1
FDO 47.1

"Honey"

In printing Food Distribution Order No. 47 Amendment 1
and 47.1 the following error occurred:

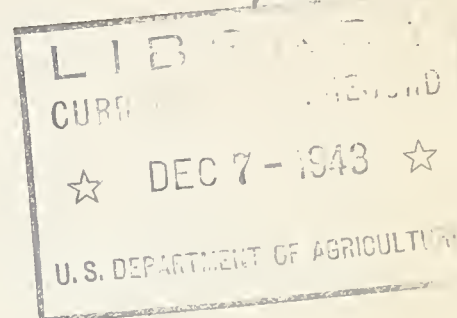
In the upper righthand corner under FDO 47.1 the date
of issuance should read April 6, 1943.

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OCTOBER 25, 1943

47-1

APR 6, 1943



WAR FOOD ADMINISTRATION

[FDO 47, Amdt. 1]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

HONEY

Food Distribution Order No. 47 (8 F.R. 4497), issued by the Secretary of Agriculture on April 6, 1943, is amended to read as follows:

§ 1490.2 *Restrictions imposed on the use of honey—*(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "Director" means the Director of Food Distribution, War Food Administration.

(3) The term "honey" means (i) honey in any extracted or comb form, or (ii) the percentage of the product that is honey contained in any material composed of two or more ingredients, one of which is honey.

(4) The term "other products" means any manufactured product, including, but not restricted to, any syrup or compound, of which honey is an ingredient.

(5) The term "governmental agency" means (i) the Armed Services of the United States; (ii) the Food Distribution Administration, War Food Administration (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a food distribution regulation, is entitled to purchase food subject to this order.

(6) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, or the Coast Guard of the United States.

(b) *General restrictions and quotas.*

(1) Except as provided in paragraph (c) hereof or as hereafter authorized by the Director, no person shall use more honey in manufacturing other products during any quota period than his quota therefor, for such period, as specified by the Director. The Director shall, from time

to time, establish quotas and quota periods pursuant to the provisions hereof.

(2) No person shall accept deliveries of honey, for use in manufacturing other products, which will increase his inventory of honey to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

(3) No person shall deliver honey to any other person for use in the manufacture of other products with knowledge or reason to believe that such person is not entitled to accept such delivery pursuant to this order.

(c) *Quota exemptions and special quotas.* (1) Notwithstanding the restrictions of paragraph (b) (1) hereof and without charge to his quota thereunder, any person may use any amount of honey in manufacturing other products delivered to or for a governmental agency: *Provided*, That the use of honey is required by such governmental agency's specifications or that honey is customarily used as an ingredient in such product.

(2) Upon receipt of application, the Director may, subject to such terms and restrictions as he may deem advisable, assign special quotas of honey to any person who wishes to use honey in manufacturing any other product not previously manufactured by such person or by any subsidiary or affiliate of such person: *Provided*, That such honey will not be used primarily in lieu of sugar or other sweets in such other product. Such special quotas assigned pursuant to this provision shall be in addition to the quotas assigned by the Director pursuant to the provisions of paragraph (b) (1) hereof. Applications (form FDO-47-1) for special quotas pursuant to this order may be obtained from the Director.

(d) *Territorial extent.* This order shall apply only to the forty-eight States of the United States and the District of Columbia.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in honey.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of honey of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(g) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using honey, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FD-47.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Previous order by Director not abrogated.* The order (8 F.R. 4498) issued on April 6, 1943, by the Director of Food Distribution specifying quota periods and prescribing quotas, pursuant to Food Distribution Order No. 47, is not abrogated or suspended by the

provisions hereof; but the term "other products," as defined herein, shall hereafter have the same meaning when used in said order by the Director.

(l) *General Preference Order M-118 superseded.* This order supersedes in all respects General Preference Order M-118 of the War Production Board, as amended (7 F.R. 4570), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective time hereof, said General Preference Order M-118, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to such violation, right, or liability.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., October 28, 1943. With respect to violations of Food Distribution Order No. 47, rights accrued, or liabilities incurred under said order prior to the effective time of this amendment, Food Distribution Order No. 47 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 25th day of October 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[FDO 47-1]

PART 1490—MISCELLANEOUS FOOD
PRODUCTS

QUOTAS AND REPORTS IN CONNECTION WITH
HONEY PRESCRIBED

Pursuant to the authority vested in me by Food Distribution Order No. 47, dated April 6, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered, As follows:*

§ 1490.3 *Quotas and reports in connection with honey.* (a) During the three-month period ending June 30,

1943, and during each subsequent three-month period until otherwise ordered, no person may use more honey in manufacturing other products than 600 pounds or 120% of the amount of honey so used by him during the corresponding three-month period of 1941, whichever is greater.

(b) Every person, other than those specified in § 1490.2 (c) (1) of Food Distribution Order No. 47, who purchases, during any month, 10,000 pounds, or more, of honey for use in manufacturing other products, shall report such purchase within 10 days after the close of such month, by letter, to the Director

of Food Distribution, United States Department of Agriculture, Washington, D. C., specifying the seller, the amount purchased, and the intended use of the honey (this reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942).

(c) This order shall take effect on its issuance.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 47, 8 F.R. *supra*)

Issued this 6th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

Press Release, Immediate:
Tuesday, October 26, 1943.

The War Food Administration has included honey-sugar sirups within the scope of a food order relating to the conservation and distribution of honey.

Manufacturers of food products using sirups containing honey beginning October 28, are required to apply the volume of honey in such sirups against their honey quotas as authorized in Food Distribution Order 47.1. This amendment

is in line with recommendations made by the Honey Industry Advisory Committee.

To permit the greater part of the honey crop to be packed by beekeepers, or commercial packers for table use, the order, as supplemented by the order of the Director of Food Distribution dated April 6, 1943, restricts the amount of honey which can be used during any three-month period by bakers, candy makers, manufacturers, or any other person, to 120 percent of their usings during the

corresponding three-month period in 1941, except where special exemptions are granted.

Food manufacturers who have developed new formulas involving the use of honey may receive a special added quota of honey for their new products if such products have post-war marketing possibilities. Already, manufacturers of new kinds of cookies, graham crackers, soft drinks, candies, and other products have been given authorizations to use additional honey in these products

OCTOBER 25, 1943

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U. S. DEPARTMENT OF AGRICULTURE

WAR FOOD ADMINISTRATION

[FDO 47-2]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

DELEGATION OF AUTHORITY WITH RESPECT TO HONEY

Pursuant to the authority vested in me by Food Distribution Order No. 47, issued by the Secretary of Agriculture on April 6, 1943, as amended (8 F.R. 4497, *supra*), effective in accordance with the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to effectuate the purposes of the aforesaid orders, it is hereby ordered, as follows:

§ 1490.6 *Delegation of authority—(a) Definitions.* When used herein, unless

otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "order" means Food Distribution Order No. 47, issued by the Secretary of Agriculture on April 6, 1943, as amended.

(2) Each term defined in the order shall, when used herein, have the same meaning as set forth in said order.

(b) *Delegation of authority.* (1) There is hereby delegated to the Order Administrator and Alternate Order Administrator of the order, severally, authority to consider applications submitted pursuant to § 1490.2 (c) (2) of the order and, subject to such terms and restrictions as may be deemed by them to be advisable, to assign special quotas of honey pursuant to said section.

(2) The authority delegated in (b) (1) hereof shall be exercised by the Order

Administrator and Alternate Order Administrator, respectively, of the order under and subject to the supervision of the Chief of the Special Commodities Branch, Food Distribution Administration, War Food Administration.

(c) *Retention of authority by Director.* Nothing herein contained shall be construed to abrogate any power or authority vested in the Director by the order.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., October 28, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 47, 8 F.R. 4497)

Issued this 25th day of October 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

7-33F
WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

December 6, 1943

To: All Regional Offices, Food Distribution Administration
From: Harold J. Clay, Administrator, FDO 47 - Honey
Subject: Summary No. 6 for Inclusion in the Loose-Leaf Docket
of FDO 47

No regulations were issued during the past month by this Administration or by other Governmental agencies that appreciably affected the operation of FDO 47 or that especially concerned any phase of the honey industry.

The importance to the food industry of imported sirups containing honey is becoming increasingly better known, as we continue to learn of large purchases of these sirups by food manufacturers who had previously used only small quantities of honey. If regional offices will notify the Washington office of any users of honey sirup that may come to their notice, it may expedite our bringing to their attention the recent inclusion of imported sirups within the scope of FDO 47.

Stocks of domestic honey available for the packing trade are becoming increasingly scarce. To supplement domestic stocks, however, the packing trade has been using many millions of pounds of imported honey, and this has been widely distributed throughout the East. Although some of this imported honey was stronger in flavor and darker in color than has previously been considered desirable for bottling purposes, packers report repeat orders and increasing demand, indicating apparent acceptance of this honey on the part of consumers.

Imports of honey during the present year will be the largest of record, and it is probable that substantial volumes of honey will be available in Latin American countries for importation during 1944. Next month's Summary will outline the basis arrived at for determining import allotments for those desiring to bring in honey next year.

This will be one of the leading subjects for discussion at a meeting of the Honey Industry Food Advisory Committee called for December 15. The meeting will also devote considerable time to a discussion of whether or not a change should be made in the present manufacturers' quota allowance of 120 percent of 1941 use of honey.

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